

LODGED
CLERK, U.S. DISTRICT COURT
07/01/2022
CENTRAL DISTRICT OF CALIFORNIA
BY: <u>DVE</u> DEPUTY

UNITED STATES DISTRICT COURT

United States of America

v.

Sean Aaron Moore,

Defendant(s)

for the
Central District of California

FILED

July 1, 2022

CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION AT SANTA ANA
BY Nancy Boehme
Deputy Clerk, U.S. District Court

Case No. 8:22-mj-00477-DUTY

CRIMINAL COMPLAINT BY TELEPHONE
OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 7, 2021 in the county of Orange in the Central District of California, the defendant(s) violated:

Code Section

21 U.S.C. §§ 841(a)(1) and (b)(1)(a)(viii)

*Offense Description*Possession with Intent to Distribute
Methamphetamine

This criminal complaint is based on these facts:

Please see attached affidavit. Continued on the attached sheet.

/s/ Michael Rodriguez
Complainant's signature

Michael Rodriguez, Special Agent (HSI)
Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: July 1, 2022

DOUGLAS F. McCORMICK*Judge's signature*City and state: Santa Ana, California

Hon. Douglas F. McCormick, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

I, Michael Rodriguez, being duly sworn, hereby declare and state as follows:

I. INTRODUCTION

1. I am a Special Agent with Homeland Security Investigations ("HSI"), and have been so employed since August 2018. Prior to becoming a Special Agent with HSI, I was a police officer and detective with the police department in Lansing, Illinois, for approximately 11 years.

2. I have participated in many aspects of drug investigations, including investigations into the smuggling of illegal drugs. I am familiar with narcotics traffickers' methods of operation, including the manufacturing, storage, transportation, and distribution of narcotics.

II. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of a criminal complaint against, and arrest warrant for, SEAN AARON MOORE ("MOORE"), for a violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(a)(viii): Possession with Intent to Distribute Methamphetamine.

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and

warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

III. SUMMARY OF PROBABLE CAUSE

5. On October 7, 2021, California Highway Patrol officers pulled over a car driven by MOORE in or near San Juan Capistrano, California. Inside the car, officers found a backpack containing what appeared to be 20 plastic bags of methamphetamine. Laboratory testing has revealed that the bags did indeed contain methamphetamine.

6. In response to questioning, MOORE told officers that he knew the drugs were in his car but did not know how much was in the backpack.

7. A search of MOORE's cellular phone, recovered on October 7, 2021, revealed text messages suggesting that MOORE was selling narcotics.

8. Based on the quantity of methamphetamine found in MOORE's car, as well as the packaging of the methamphetamine, I submit there is probable cause to believe that MOORE has violated Title 21, United States Code, Sections 841(a)(1) and (b) (1) (a) (viii).

IV. STATEMENT OF PROBABLE CAUSE

9. The following facts are based on my review of a report prepared by California Highway Patrol ("CHP") Officer Randy

Rush, my conversation with Officer Rush, and my review of the relevant 911 call log.

10. On October 7, 2021, just after midnight, a male caller who gave the name "Eric" called 911 to report that shots were being fired from the passenger side window of a car traveling northbound on the Interstate 5 ("I-5") freeway. Shortly after that call, the same person called 911 again to report that someone from the same car had fired shots at and struck the caller's car. The caller described the car as a gray or silver Honda, bearing license plate number 8UUC853 or a similar number.

11. CHP officers found a car matching the description of the Honda on I-5, near the Junipero Serra Road exit in San Juan Capistrano, California. Officers stopped the Honda on Junipero Serra Road. Because the traffic stop was considered high-risk, due to the reports of shots being fired, officers ordered the driver, identified as MOORE by his California driver's license, and the passenger, later identified as Lucas Anthony Hinde by his Florida driver's license, out of the car one by one.

12. Officers then proceeded to search the Honda for a firearm. No firearm was found, but officers did find a black backpack in the rear passenger seat containing 20 rolled-up clear plastic bags. Each of the plastic bags contained a white crystalline substance that, based on the officers' training and experience, appeared to be methamphetamine. All together, the bags weighed approximately nine kilograms.

13. After acknowledging his Miranda rights, MOORE admitted that the Honda was his but denied knowing about the backpack containing narcotics. Later, before MOORE was transported to jail, Officer Rush said to MOORE, "I know you knew the drugs were in the vehicle, and I'm not looking for you to respond to that. But if you have already been in jail, why would you put yourself in that situation?" MOORE responded, "I knew it was there, but I didn't know it was that much."

14. After MOORE and Hinde were arrested, Officer Rush attempted to contact "Eric," but the call went straight to voicemail without ringing.

15. Laboratory testing of one of the plastic packages taken from MOORE's car revealed that it contained approximately 106 grams of pure methamphetamine.

16. On April 14, 2022, I obtained a search warrant signed by the Honorable Karen E. Scott, United States Magistrate Judge for the Central District of California, allowing me to search several cellular phones recovered from MOORE's car on October 7, 2021.

17. I have reviewed text messages recovered from MOORE's phone suggesting that MOORE was selling narcotics in the days leading up to the October 7, 2021 traffic stop.

18. For example, the messages show that on October 1, 2021, MOORE sent a message to contact labeled as "Danika," stating: "Hey I got some bomb fetty if u or u know anyone that

Wants some hit me up I'm tryna make that re up \$\$\$\$)." The contact labeled as "Danika" responded, among other things, "Ok I'm down. Can I smoke the product before I buy?"

19. Based on my training and experience, I understand "fetty" to refer to fentanyl, and I believe MOORE was offering to sell fentanyl to "Danika."

20. In addition, based on my training and experience, I know that the amount of drugs seized from MOORE's car is not a personal-use amount, but is consistent with quantities possessed by drug traffickers. Furthermore, the packaging of the narcotics - in 20 separate clear plastic bags - is also consistent with drug trafficking. Thus, the quantity of methamphetamine seized, as well as the packaging of the methamphetamine, indicate that MOORE possessed the methamphetamine with the intent to sell and/or distribute it to other persons.

V. CONCLUSION

21. For all the reasons described above, there is probable cause to believe that MOORE has violated Title 21, United States

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Code, Sections 841(a)(1) and (b)(1)(a)(viii), by possessing methamphetamine with the intent to distribute it.

/s/

Michael Rodriguez,
Special Agent
Homeland Security
Investigations

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 1st day of July
2022.

DOUGLAS F. McCORMICK

HONORABLE DOUGLAS F. MCCORMICK
UNITED STATES MAGISTRATE JUDGE